

SO ORDERED.

SIGNED this 03 day of March, 2010.



**ROBERT E. LITTLEFIELD, JR.
CHIEF UNITED STATES BANKRUPTCY JUDGE**

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF NEW YORK (ALBANY)

In Re:

AMERICAN TREE CO., INC.,

Debtor.

**AGREED ORDER RESOLVING
MOTION FOR RELIEF FROM STAY**

Case No. 09-13753-1-rel
Chapter 11

Citizens Automobile Finance ("Movant") has moved this Court pursuant to a Motion for Relief from Automatic Stay [Docket No. 53] dated January 5, 2010, seeking authorization for Movant to obtain possession of said collateral and liquidate the collateral through appropriate State Court proceedings; to wit: a 2008 Ford F350. Undersigned states that the Motion was properly served. Debtor filed an Objection to Motion to Terminate Automatic Stay on January 20, 2010. The parties have entered into an agreement pursuant to 11 U.S.C. §362 and Fed. R. Bankr. P. 4001(d).

Based upon the parties AGREEMENT, the Court hereby deems the above-referenced stays continued on Movant's collateral, to wit: a 2008 Ford F350 pending compliance with the following incorporated terms:

1. .

2. The Debtor shall pay \$250.00 per month to Citizens Automobile Finance beginning in March 1, 2010.

3. The \$250.00 monthly payments shall continue until the Debtor's plan is confirmed, the case is dismissed, or the case is converted to a Chapter 7.

4. The Debtors shall maintain continuous and uninterrupted full coverage insurance with reference to Movant's collateral. Said insurance coverage will contain all appropriate provisions, loss pay endorsements and deductible terms as contemplated by the parties' original loan/lease documentation.

5. In the event the Debtor fails to comply with the payment provisions contained herein, Movant shall have the right to direct written notice of the default to the Debtor and the Debtor's attorney by ordinary U.S. mail. In the event the Debtor fails to fully cure the default within twenty (20) days after service of the aforementioned notice, the automatic stays in effect under 11U.S.C. §362 and Fed. R. Bankr.P. 4001(a)(3) shall be deemed terminated in favor of Movant, **without further notice, or hearing**, upon the filing of an affidavit of default by counsel for Movant, and an order signed by the Court.

6. In the event the Debtor fails to comply with the insurance provisions set forth herein, Movant shall have the right to direct written notice of the default to the Debtors and the Debtor's attorney by ordinary U.S. mail. In the event the Debtors fail to fully cure the default within twenty (20) days after service of the aforementioned notice, the automatic stays in effect under 11U.S.C. §362 and Fed. R. Bankr.P. 4001(a)(3) shall be deemed terminated in favor of Movant, **without further notice, or hearing**, upon the filing of an affidavit of default by counsel for Movant, and an order signed by the Court.

Unless otherwise stated expressly herein, all notices and/or affidavit of default shall be mailed or faxed to the Debtor, the Debtor's attorney, and the Trustee. Each party shall be responsible for notifying the other.

SO AGREED AND ORDERED.

approved by:

/s/ Geoffrey J. Peters
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